

Selective Overview of U.S. Immigration Law Issues

Presentation
for
Asociación de Empresarios Mexicanos Austin
Austin

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Jackson Walker L.L.P.

Austin | Dallas | Fort Worth | Houston | San Angelo | San Antonio


Key Concepts

- Visa – A permit to apply for admission to the U.S.
- “Green Card” aka Lawful Permanent Residence is not forever.
- Residence for immigration purposes is the same as Residence for Tax Purposes - Rolling Stones example

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Planning

- Short term plan
- Long term plan
- Children

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Immigration Hot Topics

- Be Aware -

- B visa entry – greater scrutiny at Port of Entry
- Children Studying on B-2 Visitor’s Visa
- Note the following from a FAQ issued by the Texas Education Agency
- 19. Can a foreign student attend school in Texas when he enters the country with a tourist visa?
- A foreign student cannot attend Texas public schools on a full-time basis with a tourist visa as this would be in violation of his/her visa status. However, the school district cannot deny the student enrollment on the basis of his/her visa status. The student only has to demonstrate eligibility to enroll under a provision of TEC §25.001.

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Immigration Hot Topics (cont)

- Tax consequences of Long-Term Stays in the U.S.
- Derivative citizenship possibility – parent, GP and GGP – e.g. Carlos Santana and Winston Churchill.

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EB-5 Immigrant (Green Card) Investor

1. Types
 - Regional Center
 - Individual Investment
2. Investment
 - \$1 million
 - \$500,000 in targeted employment area
3. Create 10 new jobs
4. Procedures

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Conclusions

- Investment in the U.S. by Foreign Nationals Offers Opportunities
- Multiple, Cross-Discipline Legal Issues When Seeking to Invest – Integrated Solutions.
- Consequences of U.S. immigration actions can affect businesses and individuals

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Questions ?

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I. EB-5 Regional Center

History

Congress created the fifth employment-based preference (EB-5) immigrant visa category in 1990 for immigrants seeking to enter to engage in a commercial enterprise that will benefit the U.S. economy and create at least 10 full-time jobs for U.S. workers. Two years later, the Regional Center EB-5 Pilot Program was created. A "Regional Center" is defined as any economic unit, public or private, engaged in the promotion of economic growth, improved regional productivity, job creation and increased domestic capital investment. 3,000 of the 10,000 total available yearly EB-5 visas are set aside for aliens who invest in a U.S. Citizenship and Immigration Services (USCIS) approved Regional Center.

As of October 1, 2012, there are 245 approved Regional Centers operating in 45 plus states, including the District of Columbia and Guam. See attached list.

Overview – Application Process

A Regional Center Proposal utilizing Form I-924 must be filed with USCIS. The USCIS requires a filing fee of \$6,230. Upon approval, the Regional Center would receive official USCIS designation as a Regional Center.

The Regional Center Proposal must demonstrate that capital investments made by individual alien investors within the geographic area of the regional center will satisfy the EB-5 eligibility requirements and will create qualifying EB-5 jobs. Regional Centers Proposals must set forth a clearly identified contiguous and limited geographical area for the regional center. If the regional center proposal bases its predictions regarding the number of direct or indirect jobs that will be created through EB-5 investments in the regional center, in whole or in part, by offering investment opportunities to EB-5 investors with the reduced \$500,000 threshold, then the Targeted Employment Areas (TEAs), Rural Areas (areas with populations under 20,000 people and outside a Metropolitan Statistical Area) or areas of high unemployment (areas with unemployment rates 150% or more above the national rate), must be identified. The Proposal should also demonstrate that the new commercial enterprise's organizational documents, capital investment offering memoranda, and transfer of capital mechanisms for the transfer of the alien investor's capital into the job creating enterprise are in compliance with established EB-5 eligibility requirements.

Additionally, the Proposal must include detailed business plans and economic modeling setting forth a number of factors, including but not limited to the following:

1. A detailed description of how EB-5 capital investments within the geographic area of the Regional Center will create qualifying EB-5 jobs, either directly or indirectly. This analysis must be supported by economically and statistically valid forecasting tools, including, but not limited to, feasibility studies, analyses of foreign and domestic markets for the goods or services to be exported [if any], and/or multiplier tables. The most common economic models utilized in Regional Center applications are RIMS II, IMPLAN, and REDYN.

2. Detailed prediction of the proposed Regional Center's predicted impact regionally or nationally on household earnings, greater demand for business services, utilities, maintenance, and repair, and construction both within and outside the geographic area of the proposed regional center.
3. Detailed description of the plans to administer, oversee, and manage the proposed regional center, including but not limited to how the regional center will:
 - A. Be promoted to attract EB-5 alien investors, including a description of the budget for the promotional activity;
 - B. Identify, assess and evaluate proposed immigrant investor projects and enterprises;
 - C. Structure its investment capital, e.g., whether the investment capital to be sought will consist solely of alien investor capital or a combination of alien investor capital and domestic capital, and how the distribution of the investment capital will be structured, e.g. loans to developers, venture capital, etc.; and
 - D. Oversee all investment activities affiliated with, through or under the sponsorship of the proposed Regional Center.

A Regional Center proposal would require a team of qualified individuals including outside expertise. Specifically, outside expertise would be required in the field of EB-5 specific securities offerings and economic impact modeling.

Options for Project Approval

Groups forming a Regional Center have multiple options for USCIS to review individual projects, including the following:

1. Submission of Project Proposal with Regional Center Proposal – This option allows USCIS to approve a specific project at the same time USCIS approves the Regional Center proposal. However, this may increase adjudication time. Additionally, if the project is not yet finalized, the Regional Center would have to apply to amend the project approval if the project were to undergo a “material change”.
2. Submission of “Exemplar” I-526 – Starting in December of 2009, USCIS began accepting “Exemplar” I-526 petitions to allow Regional Centers the ability to submit project plans for approval without locking the Regional Center into the project. Since implementation, many Regional Centers are utilizing this option.
3. No approval of project until first round of investor I-526s – Although general details of the project are mentioned in the Regional Center proposal, specifics are not included until the first round of investor I-526s are submitted. This option could result in adjudication delays.

Estimated Timeline

Predicting a timeline for approval of a Regional Center application is difficult. USCIS has previously reported an adjudication time of approximately 6 months. However, anecdotal evidence clearly shows that specific Regional Center applications have been pending 9 to 12 months. With a significant number of pending Regional Center applications, USCIS has hired and trained additional staff to support EB-5 adjudications. However, the increase in staffing has not yet resulted in decreased adjudication times.

Preparation of Regional Center Proposal: 3 months

Adjudication of Regional Center Proposal by USCIS: 9 -12 months

After the Regional Center is officially designated and USCIS has approved the initial offering, the Regional Center would be free to market itself and seek investors. While the Regional Center may identify prospective investors while the Regional Center application is pending, it cannot market itself as an approved Regional Center during this time.

Regional Center Marketing Post Approval: 3 months

Once an investor is located and passed through initial qualification screening by the Regional Center, the investment can move forward. The subscription documentation may be signed and the investor will put \$500,000 into escrow.

At this time, the I-526 may be submitted to USCIS for adjudication. USCIS is officially posting an adjudication time of 8 months for the I-526. Anecdotal evidence suggests the actual adjudication time may vary by 1-2 months.

Submission and Adjudication of I-526: 8 - 10 months

Upon approval of the I-526, the escrow money may be released from escrow. The I-526 does not entitle the foreign national to enter the country as a conditional permanent resident. Rather, the investor must file for adjustment of status (if inside the U.S) or file an application for an immigrant visa (if abroad). Adjudication times will vary for this step based upon a number of factors, but generally could be completed in 4 to 8 months.

Adjustment of Status or Immigrant Visa Application: 8 - 12 months

EB-5 investors at this stage are granted conditional permanent residence for a period of two years. The next stage requires the investor to file a petition with USCIS to remove the conditions on the investor's residency. USCIS is currently posting an adjudication time of 6 months. The Form I-829 can be filed before 90 days prior to the expiration of the two year conditional period.

Submission of I-829 for Unconditional Permanent Residence (21 - 24 months after receiving conditional residence): 6 months

II. Temporary / Nonimmigrant Visa Options

1. L-1 Intracompany transferee
2. E-1 Treaty Trader
3. E-2 Treaty Investor
4. H-1B Specialty Occupation Visa
5. TN Visa

III. L-1 Intra Company Transferee Visa

1. Requirements
 - A. Relationship between the U.S. company and the non U.S. entity (i.e. the Mexican company) must be parent, branch, subsidiary or affiliate.
 - B. The transferred employee has to have worked for one year out of the last three (3) years for the company in Mexico as a manager, executive or specialized knowledge employee.
 - C. The transferred employee will work in the U.S. as a manager, executive or specialized knowledge employee.
2. L-1 Procedures and Timing
 - The USCIS issues a decision on the I-129/ L-1 petition, i.e. – approve, deny or request additional evidence within 15 days of filing.
 - Assuming the I-129/L-1 petition is approved, the prospective employee will schedule his/her interview at the U.S. consulate. Assuming there are appointments available, generally the prospective employee will have his/her interview within 20 days of the I-129/petition's approval.
 - Assuming (i) the consular officer approves the issuance of the visa, and (ii) there are not any security clearance delays, the L visa may be issued to the prospective employee within 5 days.
 - The actual process may be shorter or longer depending on the availability of visa interview appointments at the U.S. consulate and other factors.
 - Visa duration – The L visa may be issued for up to 1 year to Mexican citizens. The employer may apply for extensions for a maximum of 7 continuous years in L-1 status for managers and executives, and 5 years for specialized knowledge employees.

IV. E-1 / Treaty Trader Visa.

1. Requirements
 - A. Trade – This visa option requires trade between the U.S. and the treaty country to be in existence at the time the application is filed with the U.S. Consulate in Mexico.
 - B. The trade must be substantial.
 - C. Nationality – The individual and/or business must possess the nationality of the treaty country, i.e. Mexico.
 - D. The principal trader must “develop and direct” the enterprise.
 - E. The applicant must intend to depart the U.S. when his E-1 status ends.

2. E-1 Procedures and Timing.
 - A. Adjudication time varies.
 - B. The E visa may be issued within 5 days, or longer if there are security clearance delays.
 - C. E visas may be issued for up to 1 year to Mexican citizens. The E visa can be renewed. There is no maximum time a person may hold E visa status, provided the requirements noted above continue to be in effect.

V. E-2 Treaty Investor Visa

1. Requirements
 - A. *Investment.*
 - i. The applicable regulations state the E-2 entity, i.e. the Company, must have invested or be actively in the process of investing funds that are in its possession/control.
 - ii. The funds must be “at risk.” The funds must be irrevocably committed to the enterprise and the applicant has the burden of showing irrevocable commitment.
 - iii. The applicant must establish that the funds are the investor’s funds.
 - B. *Substantiality* of investment
 The U.S. Department of State uses a relative/proportionality test. The test is: (i) the amount of qualifying funds invested weighed against the total cost of purchasing or creating the enterprise; (ii) the amount normally considered sufficient to ensure the investor’s financial commitment to the successful operation of the enterprise; and (iii) a magnitude of investment to support the likelihood that the investor will successfully develop and direct the enterprise.
 - C. The investment *cannot be “marginal”* – The investment cannot be solely to earn a living for the investor and his/her family. The creation of jobs for U.S. workers, while not required, is one factor that the consular staff considers in determining marginality.
 - D. *Nationality* – The individual and/or business (through its ownership) must possess the nationality of the treaty country, i.e. Mexico.
 - E. The applicant must *intend to depart* the U.S. when his E-2 status ends.
2. E-2 Procedures and Timing.
 - A. Adjudication time varies.
 - B. The E visa may be issued within 5 days, or longer if there are security clearance delays.
 - C. E visas may be issued for up to 1 year to Mexican citizens under the new reciprocity arrangements (see above). The E visa can be renewed. There is no maximum time a person may hold E visa status, provided the requirements noted above continue to exist.

VI. Comparison between E and L visas – Key differences

Item	E Visa	L visa
Where you apply	Directly at the U.S. Consulate nearest to the applicant’s residence	Two step process – first a petition is filed with the USCIS Regional Service Center in the U.S. Secondly, once the petition is

		approved, the visa itself is applied for at the U.S. Consulate nearest to applicant's residence
Timing	30 days Generally can schedule an interview within 30 days of providing the attorney all requested documents at the U.S. Consulate in Mexico nearest to applicant's residence	45 to 60 days File with the USCIS within 7 to 10 days of providing the attorney all requested documents. After USCIS reaches its decision schedule an interview at the U.S. Consulate in Mexico nearest to applicant's residence
Documents	Not necessary to translate any documents from Spanish to English	Most documents in Spanish must be translated into English
Future Application for "green card"	There can be issues related to travel outside the U.S.	More favorable to hold L-1 because immigration authorities recognize intent to reside in the U.S. on a temporary and permanent basis
Duration	E visa issued for one year. There is no limitation on the number of renewals.	The L petition can be approved initially for three (3) years and can be extended twice for two (2) year periods, for a maximum of seven &(3) years. The L-1 visa itself is now issued for one year.

VII. Conclusions.

1. There are multiple options which may be available for a temporary/ nonimmigrant visa.
2. It is important to determine the short term and long term goals to live and work in the U.S. for the principal, his/ her spouse and children (under 21).
3. It is important to consider the U.S. tax consequences prior living and working in the U.S. There is a difference between being a resident for U.S. tax purposes and immigration purposes.
4. A "green card" also known as lawful permanent residence is not forever. A person can lose his/her green card status and be subject to what is called an "Exit Tax."

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State	Regional Center
Alabama	America's Center for Foreign Investment
Alabama	Gulf Coast Regional Investment Center, LLC
Alabama	Southeast Regional Center LLC
Alabama	Sunbelt EB-5 Regional Center, LLC
Arizona	Arizona Alternative Energy Center, LLC
Arizona	Central Arizona Regional Center
Arizona	Grand Canyon Regional Center, LLC
Arizona	Green Card Fund, LLC
Arizona	Liberty West Regional Center
California	AAA California Regional Center
California	ACS Regional Center
California	Admiralty California Regional Center LLC
California	Alliance Regional Center Oasis Growth Partners LLC
California	American Franchise Regional Center LLC
California	American Gateway Regional Center
California	American General Realty Advisors Regional Center
California	American Life Development Company LLC
California	American Logistics [International] Regional Center
California	American Redevelopment RC / American Redevelopment Solutions LLC
California	Bay Area Regional Center LLC
California	California Consortium for Agricultural Export (CCAIE)
California	California Energy Investment Center
California	California Farm Limited Partnership
California	California Global Alliance Regional Center c/o Lewis C. Nelson & Sons, Inc.
California	California Golden Fund
California	California Green Regional Center
California	California Greenhouse Farm Regional Center
California	California Investment Immigration Fund, LLC (CIIS)
California	California Pacific Group Regional Center
California	California Real Estate Regional Center
California	California Regional Center, LLC
California	California Wineries & Vineyards, LLC Regional Center (CWVRC)
California	Century American Regional Center
California	CMB Export LLC
California	Dos Lagos Regional Center LLC
California	FDIUS Regional Center
California	FreeMind Films Regional Center
California	Global Premier America Regional Center LLC
California	Green Energy Regional Center, LLC (GERC)
California	Hollywood International Regional Center
California	Hollywood Regional Center
California	Home Paradise Regional Center
California	Imperial Regional Center
California	Inland Empire Renewable Energy Regional Center, LLC
California	Invest LA Regional Center, LLC
California	Liberty West Regional Center
California	Los Angeles County Regional Center
California	Los Angeles Regional Center
California	M&D Regional Center, LLC
California	Nevada California Regional Center
California	New Energy Horizons Regional Center
California	New World Regional Center
California	Next Bay Properties, LLC
California	Northern California Regional Center, LLC
California	Pacific Dynasty Regional Center
California	Pacific Proton Therapy Regional Center, LLC

State	Regional Center
California	Regional Center Management Los Angeles
California	Regional Center Properties, LLC
California	San Francisco Bay Area Regional Center
California	San Francisco Regional Center
California	Silicon Valley California Regional Center
California	Silicon Valley Venture Investment Regional Center
California	South East Los Angeles RC (SELARC)
California	Synergy California Green Hospitality Regional Center, LLC
California	United Venture Regional Center, LLC
California	US Commercial Regional Center
California	United States Employment Development Lending Center
California	USA Continental Regional Center, LLC
California	Velocity Regional Center
California	YK America Regional Center LLC
Colorado	Colorado Intercontinental Regional Center, LLC Stephen S. Smith c/o Evergreen Land Co.
Colorado	Colorado Regional Center, LLC
Colorado	Invest U.S. Regional Center
Colorado	Rocky Mountain High Regional Center
District of Columbia	Anacostia Regional Center
District of Columbia	Capital Area Regional Center (CARC)
District of Columbia	DC Regional Center
District of Columbia	Westmill Mid-Atlantic Regional Center LLC
Florida	American Life Investments, LLC
Florida	America's Center for Foreign Investment
Florida	American Opportunity Regional Center LLC
Florida	BirchLEAF Miami 31, LLC Regional Center
Florida	Charlotte Harbor Regional Center
Florida	Florida EB5 Investments LLC Regional Center
Florida	Florida EB-5 Regional Center, LLC;
Florida	Florida Equity & Growth Fund Regional Center, LLC
Florida	Florida Overseas Investment Center RC
Florida	Florida Regional Center, LLC
Florida	Gold Coast Florida Regional Center
Florida	Gulf Coast Regional Investment Center, LLC
Florida	Hollywood Beach Regional Center LLC
Florida	Lake Buena Vista RC
Florida	The Lake Point EcoVentures Regional Center
Florida	Mirzam Investor Green Card Regional Center
Florida	Regional Center of South Florida, LLC
Florida	Palm Beach RC
Florida	Palm Coast Florida Regional Center
Florida	South Atlantic Regional Center (SARC)
Florida	South Florida Investment Regional Center (SFIRC)
Georgia	America's Center for Foreign Investment
Georgia	Atlanta EB5 Regional Center LLC
Georgia	Georgia Center for Foreign Investment and Development
Georgia	Georgia Regional Center, LLC
Georgia	Middle Georgia Regional Center
Georgia	Southeast Regional Center LLC
Guam	Guam Strategic Development LLC RC
Hawaii	Aloha Regional Center, LLC
Hawaii	EB-5 Jobs for Hawaii, LLC
Hawaii	Golden Pacific Ventures Regional Center
Hawaii	Hawaii Regional Center
Hawaii	Hawaiian Islands Regional Center LLC

State	Regional Center
Idaho	Idaho State Regional Center LLC
Idaho	Invest Idaho Regional Center
Illinois	Chicagoland Foreign Investment Group (CFIG) Regional Center
Illinois	Intercontinental Regional Center Trust of Chicago
Illinois	LaSalle County Business Development Center (LCBDC)
Illinois	Local Government Regional Center of Illinois
Illinois	US HITEC Regional Center
Indiana	Energize-ECI EB-5 Visa Regional Center
Indiana	Chicagoland Foreign Investment Group (CFIG) Regional Center
Indiana	Midwest Center for Foreign Investment, LLC
Iowa	Iowa Department of Economic Development (IDED)
Kansas	1900 Gulf Street Partners Regional Center
Kansas	Kansas Bio-Fuel RC, LLC
Kansas	Kansas Regional Center
Kentucky	Midwest Center for Foreign Investment, LLC
Kentucky	Midwest EB-5 Regional Center LLC
Louisiana	Gulf Coast Regional Investment Center LLC
Louisiana	Louisiana Mississippi Regional Center
Louisiana	Luca Energy Fund Regional Center
Louisiana	New Orleans' Mayor's Office RC
Maine	USA Lifestyles Regional Center
Maryland	Capital Area Regional Center (CARC)
Maryland	DC Regional Center
Maryland	Maryland Center for Foreign Investment, LLC
Maryland	Oriental Dolphin EB-5 Regional Center
Maryland	Westmill Mid-Atlantic Regional Center LLC
Massachusetts	EB-5 Jobs for Massachusetts, Inc.
Michigan	Detroit Immigrant Investor Regional Center
Michigan	EB-5, MRC LLC
Michigan	Green Detroit Regional Center, LLC
Michigan	International Michigan Investments Regional Center
Michigan	Lansing Economic Development Corporation (LEDC) Regional Center
Michigan	Tucker Development Corporation Regional Center
Minnesota	UND Center for Innovation Foundation Regional Center
Mississippi	America's Center for Foreign Investment
Mississippi	Gulf Coast Funds Management, LLC
Mississippi	Louisiana Mississippi Regional Center
Mississippi	Gulf Coast Regional Investment Center LLC
Mississippi	Mississippi Development Center, LLC
Missouri	1900 Gulf Street Partners Regional Center
Missouri	MAMTEK Regional Center
Montana	Northern Rockies Regional Center
Nevada	Clark County Regional Center
Nevada	Geothermal Regional Center LLC
Nevada	Las Vegas EB-5 Immigration, LLC
Nevada	Las Vegas Economic Impact Regional Center, LLC
Nevada	Las Vegas Regional Center
Nevada	Nevada California Regional Center
Nevada	Nevada Regional Economic Development Center (NREDC)
Nevada	Northern California Regional Center, LLC
New Hampshire	New Hampshire EB-5 Regional Center
New Jersey	New Jersey Liberty Regional Center, LLC
New Jersey	New Jersey Regional Center, LLC
New Jersey	New York City Real Estate Regional Center, LLC
New York	Buffalo Regional Center
New York	EB-5 New York State, LLC

State	Regional Center
New York	Empire State EB-5 Regional Center
New York	Extell New York Regional Center
New York	Federal New York Metropolitan Regional Center
New York	Manhattan Regional Center, LLC
New York	New York City Real Estate Regional Center, LLC
New York	New York City Regional Center, LLC
New York	New York Immigration Fund, LLC
New York	New York Proton Regional Center, LLC
New York	North Country EB-5 Regional Center LLC
New York	NYC Metro Regional Center LLC
North Carolina	Atlantic Regional Center for Foreign Investment, LLC (ARCFI)
North Carolina	Carolina Center for Foreign Investment RC
North Carolina	North Carolina Center for Foreign Investments, LLC
North Carolina	Tennessee Regional Center, LLC
North Dakota	UND Center for Innovation Foundation Regional Center
Ohio	Cleveland International Fund, Ltd
Ohio	CMB Summit LLC RC
Ohio	Midwest EB-5 Regional Center LLC
Ohio	Northeast Ohio Regional Center
Ohio	Ohio Development Regional Center
Oklahoma	South West Biofuel RC, LLC (SWBRC)
Oklahoma	Southern Star Regional Investment Center, LLC
Oregon	American Life Inc. Regional Center - Seattle (Golden Rainbow & Gateway Freedom Fund)
Oregon	American United EB-5 Regional Center
Oregon	Portland Regional Center
Pennsylvania	Empire State EB-5 Regional Center
Pennsylvania	Pennsylvania Department of Community and Economic Development Regional Center
Pennsylvania	Pittsburg Regional Investment Center LLC
Pennsylvania	Philadelphia Industrial Development Corporation (PIDC) Regional Center
South Carolina	Carolina Center for Foreign Investment RC
South Dakota	South Dakota International Business Institute (SDIBI)
Tennessee	America's Center for Foreign Investment
Tennessee	Tennessee Regional Center, LLC
Texas	820 Industrial Loop Partners Regional Center
Texas	Brooks City-Base Regional Center
Texas	City of Dallas RC (CDRC)
Texas	CP Regional Center Inc
Texas	Crown Point Regional Center
Texas	DC Partners Regional Center
Texas	Global Century (Houston)
Texas	Great Texas Regional Center, LLC
Texas	Great Southwest Regional Center, LLC
Texas	Lone Star Regional Center, LLC
Texas	Luca Energy Fund Regional Center
Texas	McAllen EB-5 Regional Center
Texas	North Texas EB-5 Regional Center LLC
Texas	South West Biofuel RC, LLC (SWBRC)
Texas	Star of Texas Regional Center
Texas	Texas Lone Star Enterprises, LLC
Texas	Texas Urban Triangle Regional Center LLC
Texas	USA Now Regional Center LLC
Utah	Invest U.S. Regional Center
Utah	Mountain States Center for Foreign Investment (MSC)
Utah	Utah High Country Regional Center
Utah	Utah Regional Investment Fund, LLC
Vermont	

State	Regional Center
	Vermont Agency of Commerce and Community Development
Virginia	Capital Area Regional Center (CARC)
Virginia	DC Regional Center
Virginia	Virginia Center for Foreign Investment and Job Creation
Virginia	Westmill Mid-Atlantic Regional Center LLC
Washington	Aero Space Port International Group (ASPI Group) Regional Center
Washington	American Life Ventures Everett, Washington
Washington	American Life, Inc. - Lakewood Regional Center
Washington	American Life Inc. Regional Center - Seattle (Golden Rainbow & Gateway Freedom Fund)
Washington	American Life Ventures, Tacoma, Washington
Washington	Eastern Washington Regional Center
Washington	Farm for America Regional Center
Washington	Path America Sonoco, LLC
Washington	Seattle Regional Center
Washington	Twin Development LLC Regional Center
Washington	Washington Regional Center
Washington	Western Washington Regional Center LLC
Washington	Whatcom Opportunities RC
Wisconsin	Ecorntech Regional Center
Wisconsin	Chicagoland Foreign Investment Group (CFIG) Regional Center
Wisconsin	Intercontinental Regional Center Trust of Chicago
Wisconsin	Metropolitan Milwaukee Association of Commerce (MMAC)
Wyoming	Invest U.S. Regional Center



James D. Prappas - Partner
Immigration, International, Labor and Employment, Energy

Education

- A.B., *with honors*, Davidson College (NC)
- J.D., University of Houston Law Center
- Mr. Prappas also attended the MSc economics degree course at the London School of Economics and Political Science.

Court Admissions

- 1986, Texas



(Immigration and Nationality Law).



James D. Prappas has over 25 years experience representing Fortune 500, middle market and emerging companies in U.S. immigration matters and transactions. He has a broad practice in a diverse range of immigration matters and has advised clients on strategic immigration planning and related transactional matters.

Mr. Prappas has extensive experience in nonimmigrant visas including the international transfer of key personnel and treaty trader/treaty investors, employment based immigrant visas, family immigration, I-9 matters, naturalization and derivative citizenship. Prior to joining Jackson Walker, Mr. Prappas' career included over 10 years in private practice where he represented domestic and international businesses concerning business, corporate and immigration law.

Languages

Fluent in English, Spanish, and Greek

Memberships

Mr. Prappas is a member of American Bar Association, State Bar of Texas, Houston Bar Association and the American Immigration Lawyers Association.

Community Involvement

Mr. Prappas serves as a member of the Board of Directors of the British-American Business Council Houston and The Parish School as well as a member of the Advisory Board of Directors of the Mexican Institute of Greater Houston. He also is an active member in GlobalScot. Previously he served as a Board Member of the Houston Grampian Association, the Hispanic Chamber of Commerce, the Houston InterAmerican Chamber of Commerce, and the Texas — Israel Chamber of Commerce. He also has served as a volunteer with the Texas Accountants and Lawyers for the Arts and as honorary legal counsel to the Consulate General of Mexico in Houston.

Awards

Mr. Prappas is included in the 2011-2013 editions of *The Best Lawyers in America* under Immigration Law.

Publications & Speaking Engagements

- [Fleeing the Mexican Drug War: Foreign Investors' Immigration Issues](#)
- [Artists And Athletes - O And P Visas: A New Memo and a New Era of Adjudications](#)
- [Best Practices in the New Era of Immigration Worksite Enforcement - PDF](#)
- [Maneras de Obtener la Residencia Permanente en los EEUU](#)
- [Help! The Play Date is Booked - What about a Visa? The Merry Confusions of U.S. Immigration Law](#)
- [Primer on Doing Business in Texas](#)
- [Worksite Enforcement Update - ICE Launches Initiative to Audit Hiring Records - DOL to Increase Wage and Hour Enforcement](#)
- [Is This the Right Time to Enter the U.S. Market](#)
- [New I-9 Form Required April 3, 2009](#)
- [L-1 Intracompany Transfers: Opportunities for Creative Lawyering](#)
- [Employment Based Immigration](#)
- [DV 2010 Diversity Visa Lottery](#)
- [U.S. Immigration, International Tax and Estate Planning](#)
- [Employment Based Immigration](#)
- [Employers Are Required to Use New I-9](#)
- [45 Day Extension of the I-9 Documentation Requirement for Employers Hiring Victims of Hurricane Katrina](#)
- [Employer's Update - Winter 2005](#)
- [Mexico e-Alert--Mexican Trucks Can Roll into USA - Says USA Supreme Court](#)
- [USCIS Announces Increase In Immigration Fees Effective April 30, 2004](#)
- [Case Study - Setting Up a United States Company](#)
- [Case Study - Setting Up a United States Company PowerPoint](#)
- [Immigration Insider - Winter 2004](#)
- [DV 2005 Diversity Visa Lottery](#)
- [Immigration Insider - Fall 2003](#)
- [DHS Publishes Final Rules Requiring Certificates For Certain Health Care Workers](#)
- [Immigration Insider - Winter 2003](#)

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